REMARKS

Claims 1-36 are in the application. Claims 1, 6-9, 12, 17-20, 23, 29-34 and 36 have been amended. No new matter has been added. The amendments are supported in the specification at paragraphs [0048] to [0053]. No claim is allowed

Rejections under 35 U.S.C. § 103

All of the claims are rejected under 35 U.S.C. § 103(a) as being unpatentable over Morrow (US2004/0054952 "Morrow") in view of Sarbin (5,179,517 "Sarbin"), both of record. Reconsideration and withdrawal of this rejection are respectfully requested,

In the Office Action the examiner discusses elements disclosed in Morrow which are purported to show the elements of the present claims except for a controller programmed to allow a person to make a wager; programmed to cause a video image representing a casino game to be played; and programmed to determine a value payout associated with the outcome of the game. The examiner cites Sarbin as allegedly showing these elements that Morrow fails to teach.

The examiner further states that Sarbin discloses a gaming machine comprising a data transfer system that operates "by collecting data (such as game machine malfunction data) from game machines and transferring said data to a portable memory medium such as a smart card."

This rejection is respectfully traversed. Claims 1, 12, 23, 33 and 36 have been amended to indicate that the controller must be programmed to store selected data regarding the gaming apparatus onto the removable storage memory such that the data comprises selected data regarding the gaming apparatus or an element of a gaming system operatively coupled to the gaming apparatus collected for configuring other gaming apparatus or diagnosing gaming apparatus failure, operating system failure, application software failure, mechanical failure or electrical failure.. The claims also recite as they did previously, that the storage device is adapted to read from and write to a removable storage memory, the removable storage memory being different from the memory operatively coupled to the processor, and that the gaming apparatus is operable when the removable storage memory is removed from the gaming apparatus.

While Morrow discloses removable storage devices 80 and 90, neither of these removable storage devices meets all the requirements of the present claims. The removable storage device 80 contains only update files 82 and may optionally contain verification software 70. See [0040] in Morrow. The update files 82 are files that are used to replace any obsolete or corrupted files in the gaming apparatus when a verification process is performed. Verification is a matching process for matching identification numbers of the components in the database as described in [0009] through

[0011] in Morrow. The removable storage memory 80 in Morrow is not one to which a storage device is adapted to write. Moreover, particularly since one can not write to it, removable storage device 80 can not store selected data regarding the gaming apparatus onto the removable storage memory such that the data comprises selected data regarding the gaming apparatus or an element of a gaming system operatively coupled to the gaming apparatus collected for configuring other gaming apparatus or diagnosing gaming apparatus failure, operating system failure, application software failure, mechanical failure or electrical failure.

Removable storage device 90 contains components such as software programs 92-96, operating system files 98 and file allocation files or structures 99 that would be necessary to operate the gaming apparatus. Removal of device 90 would therefore appear to prevent the gaming machine from properly operating.

Accordingly, neither of the removable storage media 80 or 90 in Morrow meets the features of the present claims.

The examiner points to paragraph [0013] in Morrow regarding a removable storage unit used in Morrow. The examiner then indicates that there is no requirement for the removable storage memory to be the same as the system's memory, citing par. [0013]. The examiner then hypothecates that a recorded logged event, not necessary to operation of the machine, can be stored on a removable persistent memory. However, it is respectfully pointed out that the paragraph is taken completely out of context and it is not teaching what the examiner hypothecates. Paragraph [0013] relates to paragraphs [0011] and [0012]. These paragraphs are describing the location of storage of the verification software (item 70) that is the primary focus of the invention in Morrow. The verification software is disclosed as being alternatively stored at

Removable disc 90	See par. [0038]
ROM 77 (non-removable)	par. [0038]
EEPROM 64 (non-removable)	par. [0038]
CMOS 72 (non-removable)	par. [0038]
FWH (remote)	par. [0039]
Removable device 80	par. [0040]

The only other data or information disclosed on removable device 80 are update files 82. As discussed above, neither information 70 nor 82 meets the present claims. Removal of disc 90 makes the gaming apparatus inoperable, items 77, 64 and 72 are non-removable, and FWH is a remote item. Therefore, the teaching in paragraph [0013] of Morrow fails to teach the features of the present claims discussed above.

In the Response to Arguments, the examiner cites paragraphs [0021] and [0022] in Morrow as teaching the storage of data on persistent media. Those paragraphs deal with the storage of

system events in a log file. The operating system of a gaming machine is event-driven, so the events must be stored somewhere to be processed in order to operate the game. See paragraph [0020], lines 3-6. The log files must be stored somewhere. However, nowhere does Morrow teach that such data is collected and used for configuring other gaming apparatus or diagnosing gaming apparatus failure, operating system failure, application software failure, mechanical failure or electrical failure; and that it must be stored on a removable storage memory different from the main memory operable with the machine's processor. Indeed, the only removable storage devices in Fig. 1 of Morrow are devices 80 and 90, already discussed herein. Removable device 90 is disclosed as containing the log files, so that is where one of ordinary skill in the art would be led to store such files as taught by Morrow. In that respect, the passages cited by the examiner teach away from the present invention since removal of device 90 from the machine would make the gaming machine inoperable.

Regarding Sarbin, it is directed to use of a carried data unit to be used in a gaming machine. It describes a player carried data unit (Fig. 5), which is not relevant to the present discussion, and an employee carried data unit (Figs 6 and 7). The employee carried data unit, such as a smart card, is inserted into the gaming machine, for example, to receive gaming machine identification with dated machine information, or play and status data (Fig. 6) that can be then used as input to a central data system. But nowhere is it disclosed that this data is used or cane in turn be downloaded to configure another gaming machine. All of the data uploaded from the gaming machine to the smart card, other than time and machine ID, is characterized as the "number of" times an identified event occurred. See Col. 8, lines 40-67. This is statistics collection. Moreover, the smart card only uploads the number of electrical failures or the number of tilts and number of illegal pays. These are statistics, but are insufficient to diagnose the reason for the apparatus failure, much less whether it is in the operating system, application software, mechanical components or electrical components. The downloading of updates from the smart card into the gaming machine is disclosed (Fig. 7) but there is no disclosure of how the updates were placed on the smart card. But since the uploading portion of Sarbin (Fig. 6), can only uptake raw statistics from a machine, the program updates on the card (Fig. 7) must have been placed there by a more sophisticated process and computer than a gaming machine. Thus, the smart card as described in Sarbin cannot meet the condition of a controller in a gaming apparatus that is programmed to store data on a removable storage memory comprising selected data regarding the gaming apparatus or an element of a gaming system operatively coupled to the gaming apparatus collected for configuring other gaming apparatus or diagnosing gaming

apparatus failure, operating system failure, application software failure, mechanical failure or electrical failure.

The removable storage memory according to the present invention is advantageous in that it greatly facilitates the diagnosing and operation of the gaming devices within the casino. This data, typically very complex compared to simple data which is transferred onto, for example a smart card, may be used to diagnose gaming unit failure, software failure, mechanical or electrical failure, and it may be used to configure the machine or be used to configure another gaming machine in a similar or identical configuration without using traditional complex and time consuming methods, used by casino operators.

It is submitted that Morrow and Sarbin do not demonstrate this advantageous use of a removable storage memory or how to accomplish it in the operation of a gaming machine. For the reasons discussed above, it is submitted that the claims are unobvious over the combination of Morrow and Sarbin and withdrawal of the rejection is respectfully requested.

It is requested that this application be passed to issuance.

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Respectfully submitted,
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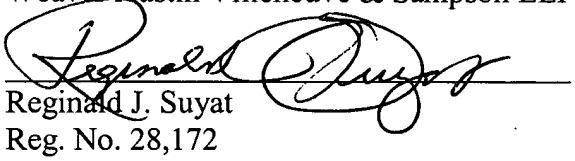

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